



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 97-022-B2-CO)

PATENT

In re Application of:

R. Terry Dunlay, et al.

Serial No.: 10/686,161

Filed: October 15, 2003

For: A System for Cell-Based Screening

)
Examiner: Pablo S. Whaley
)
Art Unit: 1631
)
Confirmation No.: 6805
)

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97 - 1.99, the Applicant wishes to make the following references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. Section 1.56. Copies of the Foreign and Journal references cited below are enclosed. These references are also listed on the enclosed PTO Form 1449.

In the judgment of the undersigned, portions of the listed references may be material to the Examiner's consideration of the presently pending claims. However, the references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative relevance between references, whether cited in this or prior statements. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103.

86/27/2007 AHMADI 00000008 132498 10686161
01 FC:1806 180.00 DA

This Information Disclosure Statement is being filed:

- within three months of the filing date of a national application; within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 in an international application; or before the mailing date of a first Office Action on the merits. 37 C.F.R. §1.97 (b)
- after three months of the filing date of a national application, or the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 in an international application; or after the mailing date of a first Office Action on the merits, but before the mailing date of a Final Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311 (whichever occurs first), and includes (37 C.F.R. § 1.97 (c):
 - the Certification under 37 C.F.R. § 1.97(e) (see "Certification" below)

OR

- the fee of \$180.00 set forth in 37 C.F.R. § 1.17(p) (see "Fees" below).
- after a Final Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311 (whichever occurs first), but before, or simultaneously with, the payment of the issue fee, and includes the Certification under 37 C.F.R. § 1.97(e) (see "Certification" below), and the Petition Fee set forth in 37 C.F.R. § 1.17(i) (see "Fees" and "Method of Payment of Fees" below). Applicants hereby petitions for consideration of the Information Disclosure Statement submitted herewith and the accompanying references in examination of the subject patent application.

CERTIFICATION

- The **undersigned** hereby certifies that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.
- The **undersigned** hereby certifies that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

FEES

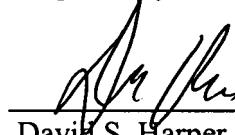
No fee is owed by the applicant(s).
 The IDS Fee of \$180.00 under 37 C.F.R. § 1.17(p) is enclosed herewith.

METHOD OF PAYMENT OF FEES

The Commissioner is authorized to charge our **Deposit Account No.: 13-2490** in the amount of \$180.00.

CERTIFICATE OF MAILING VIA EXPRESS MAIL DELIVERY under 37 C.F.R. § 1.10. I hereby certify that the attached paper of fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Commissioner for Patents, Box 1450, Alexandria, VA, 22313-1450, on this 26th day of June, 2007. Express Mail No. EV840506653US.

Respectfully submitted,



David S. Harper
Registration No. 42,636

U.S. Patent Documents

1. Bacus, et al., U.S. Patent No. 5,016,283 Issued May 14, 1991.

Foreign Documents:

2. WO 90/10276, Published September 7, 1990.
3. JP 19840153710, Published February 14, 1986.

Other Documents:

4. Lieske, et al. *Neuroscience*, 90(3): 967-974, March 9, 1999.
5. Dow, et al. *Cytometry* 25: 71-81, 1996.
6. McFarland, et al. *Clinical and Experimental Pharmacology and Physiology*, 22:362-363, 1995.
7. Wang, et al. *Pure and Applied Chemistry*, 73(10): 1599-1611, 2001 (Abstract only).

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8. Ranefall, et al. *Analytical Cellular Pathology*, 15: 145-156, 1997.
9. Sano. *Current Trends in Neurochemistry*, 1: 27-40, 1997 (Abstract only)

The Applicants hereby notify The Patent Office of the following commonly owned co-pending applications:

1. U.S. Application Serial No. 11/229,382, filed September 16, 2005.
2. U.S. Application Serial No. 10/411, 635, filed April 11, 2003.
3. U.S. Application Serial No. 10/685,737, filed October 15, 2003.
4. U.S. Application Serial No. 09/718,770, filed November 22, 2000.

In accordance with MPEP Sections 609 and 707.05(b), it is requested the document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

Date: 6/26/07

By:



David S. Harper
Reg. No. 42,636

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Chicago, IL 60606

FORM PTO-1449 (Rev. 2-32)	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No.	Serial No.
		97-022-B2-CO	10/686,161
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT			
(Use several sheets if necessary)			
		Applicant:	
		Dunlay, et al.	
		Filing Date:	Group:
		October 15, 2003	1631

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).

Examiner Initial		
	4.	Lieske, et al. <i>Neuroscience</i> , 90(3): 967-974, March 9, 1999.
	5.	Dow, et al. <i>Cytometry</i> 25: 71-81, 1996.
	6.	McFarland, et al. <i>Clinical and Experimental Pharmacology and Physiology</i> , 22:362-363, 1995.
	7.	Wang, et al. <i>Pure and Applied Chemistry</i> , 73(10): 1599-1611, 2001. (Abstract only)
	8.	Ranefall, et al. <i>Analytical Cellular Pathology</i> , 15: 145-156, 1997.
	9.	Sano. <i>Current Trends in Neurochemistry</i> , 1: 27-40, 1997. (Abstract only)

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

FORM PTO-1449 (Rev. 2-32)	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. 97-022-B2-CO	Serial No. 10/686,161
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)			
			
Applicant: Dunlay, et al.			
Filing Date: October 15, 2003		Group: 1631	

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	1.	5,016,283	May 14, 1991	Bacus			Nov 17, 1987

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
	2.	WO 90/10276	September 7, 1990	WO				
	3.	JP19840153710	February 14, 1986	JP			Abstract	

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.